

ENVIRONMENTAL

AMENDED

NO. 63079 **E**

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 05 1997

Returned to applicant for correction MAY 13 1997

Corrected application filed JUN 02 1997

Map filed JUN 02 1997

The applicant Nellis Air Force Base Environmental Management, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is underground
2. The amount of water applied for is 0.0613 second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for other use (treatment of petroleum-contaminated groundwater)
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated N/A
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power: N/A
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point 11 wells (please see attached list)
6. Place of Use A portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4 Township 20 South, Range 62 East M.D.B.&M.
7. Use will begin about January 1 and end about December 31, of each year.
8. Description of proposed works Water extracted from groundwater extraction wells installed as part of contamination containment system
9. Estimated cost of works N/A
10. Estimated time required to construct works 6 months
11. Estimated time required to complete the application of water to beneficial use 15 years
12. Remarks: Water and free phase floating product to be extracted from 24 extraction wells for removal of free phase product and remediation/containment of dissolved benzene, toluene, xylenes, ethylbenzene (BTEX), and TCE via treatment by existing groundwater treatment facility at Site ST-27, Nellis AFB. Treated water to be sent to existing pond or golf course irrigation as allowed under NDEP NPDES permit #NEV94006 (attached).

By John P. McMains
s/ John P. McMains DAW
Dames & Moore (Agent)
4220 S. Maryland Parkway Suite 108
Las Vegas, NV 89119

Compared cl/cms cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. The State retains the right to regulate the use of water granted herein at any and all times.

This permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0613 cubic feet per second, but not to exceed 44.38 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

*

Proof of completion of work shall be filed before:

*

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

*

Map in support of proof of beneficial use shall be filed on or before:

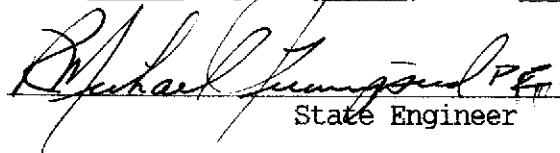
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* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 18th day of June, A.D. 1997


State Engineer

ENVIRONMENTAL

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

SE $\frac{1}{4}$ of the NW $\frac{1}{4}$

EX-8 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 51°12'30" WEST, A DISTANCE OF 3896.90 FEET.

EX-9 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 49°56'00" WEST, A DISTANCE OF 3895.08 FEET.

EX-10 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 53°28'53" WEST, A DISTANCE OF 3905.09 FEET.

EX-11 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 55°31'30" WEST, A DISTANCE OF 3917.74 FEET.

EX-12 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 57°33'02" WEST, A DISTANCE OF 3935.28 FEET.

EX-13 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 59°33'29" WEST, A DISTANCE OF 3957.87 FEET.

EX-14 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 61°32'19" WEST, A DISTANCE OF 3985.09 FEET.

EX-15 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 63°28'42" WEST, A DISTANCE OF 4007.99 FEET.

EX-16 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 65°19'10" WEST, A DISTANCE OF 3950.84 FEET.

EX-17 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 67°12'37" WEST, A DISTANCE OF 3897.95 FEET.

EX-18 LIES IN THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 62 EAST, MOUNT DIABLO MERIDIAN AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH 69°09'11" WEST, A DISTANCE OF 3849.28 FEET.